

**A RESOLUTION
BY TRANSPORTATION COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AIRPORT USE LICENSE AGREEMENT WITH FLORIDA WEST INTERNATIONAL AIRWAYS, INC. FOR OPERATIONS AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT; AND FOR OTHER PURPOSES.

WHEREAS, Florida West International Airways, Inc. ("Florida West") desires to provide regularly scheduled Passenger Service from Hartsfield-Jackson Atlanta International Airport ("Airport"); and

WHEREAS, in furtherance of its plan to operate such flights, Florida West desires to enter into an Airport Use License Agreement with the City of Atlanta ("City") as a domestic carrier serving the Airport; and

WHEREAS, the Aviation General Manager believes that it is in the best interest of the Airport and the City to enter into an Airport Use License Agreement with Florida West and recommends the execution of such an Agreement.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Mayor is authorized to execute on behalf of the City an appropriate Airport Use License Agreement with Florida West International Airways, Inc., which shall contain the following terms, conditions, and provisions:

- 1) a term effective as of August 1, 2006 and ending September 20, 2010; provided that either party may terminate the agreement by giving at least 30 days prior written notice to the other party; and
- 2) a landing fee to be computed at the initial landing fee rate of \$0.44854 per 1,000 pounds of the FAA Maximum Certificated Gross Landing Weight of each aircraft scheduled to land at the Airport, which landing fee rate shall be subject to adjustment from time to time at the discretion of the City acting through its Aviation General Manager. Such adjustments shall be to levels comparable to the landing fee rates charged similarly classified airlines at the Airport; and
- 3) such other terms, conditions, and provisions as may be required by City ordinances or Federal regulations or which are otherwise deemed appropriate by the Aviation General Manager.

BE IT FURTHER RESOLVED, that the City Attorney is directed to prepare an appropriate Agreement to be executed by the Mayor.

BE IT FINALLY RESOLVED, that the Agreement will not become binding upon the City and the City will incur no obligation nor liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved by the City Attorney as to form and delivered to Florida West.